

REMARKS

This Amendment is in response to the Office Action mailed on March 28, 2008. Claims 16-26 are new and are supported, for example, in the specification on page 16, line 22-page 21, line 10 and Figures 11-14. No new matter is added. Claims 15-26 are pending.

Claim Objections:

Claim 5 is objected to for informalities. This objection is now moot as claim 5 is cancelled without prejudice or disclaimer. Withdrawal of this objection is requested.

§102 Rejections:

Claims 1-13 and 15 are rejected as being anticipated by Farhi (US Patent No. 5,370,759). With respect to claims 1-13, this rejection is now moot as claims 1-13 are cancelled without prejudice or disclaimer. Applicants do not concede the correctness of this rejection.

With respect to claim 15, this rejection is traversed. The present application claims priority to JP Application No. 2002-193846 filed in the Japanese Patent Office on July 2, 2002. Enclosed is a verified translation of the priority application. The earliest effective prior art date of Farhi (US patent No. 7,001,364) is August 13, 2002, which is subsequent to the priority date of the present application. Withdrawal of the Farhi reference as a prior art reference is requested. Applicants do not concede the correctness of this rejection.

Claims 1 and 7 are rejected as being anticipated by (JP Application No. 84501/1992). As confirmed by the Examiner, this rejection refers to JP Publication No. 6-38909 (hereinafter "JP '909"), cited by the Applicants in the December 30, 2004 IDS. This rejection is now moot as claims 1 and 7 are cancelled without prejudice or disclaimer. Applicants do not concede the correctness of this rejection.

§103 Rejections:

Claim 14 is rejected as being unpatentable over Fahri in view of Fosslien (US Patent No. 4,311,484). This rejection is now moot as claim 14 is cancelled without prejudice or disclaimer. Applicants do not concede the correctness of this rejection.

New Claims:

In order to expedite the prosecution of this matter, the following is noted with respect to claims 16-26 and the prior art references.

Claim 16 is directed to a method of supplying a lancet and a sensor from an interior of a first housing into an interior of a second housing that requires, inter alia, temporarily attaching the first housing to the second housing for causing the lancet and the sensor together to be supported respectively on a lancet holding portion and a sensor holding portion in the interior of the second housing. Claim 16 further requires removing the first housing from the second housing while keeping the lancet and the sensor supported on the respective holding portions in the interior of the second housing.

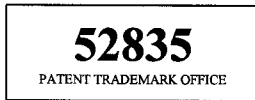
JP '909 does not teach or suggest these features of claim 16. JP '909 merely teaches supplying a lancet (12) from a first housing (15) to a second housing (8). However, nowhere does JP '909 teach or suggest supplying both the lancet (12) and a sensor from the first housing (15) to the second housing (8), as required by claim 16. Fosslien does not overcome these deficiencies of JP '909. Fosslien is directed to a specimen sampling apparatus that includes a control circuit, but does not teach or suggest supplying a lancet and a sensor from an interior of a first housing into an interior of a second housing. For at least these reasons claim 16 should be allowed. Claims 17-20 depend from claim 16 and should be allowed for at least the same reasons.

Claim 21 is directed to a lancing device that requires, among other features, a cylindrical housing, a lancet holder and a cam mechanism for converting a retracting movement of the lancet holder along the longitudinal axis of the housing into rotation of the lancet holder. Nowhere does JP '909 or Fosslien either alone or in combination teach or suggest a cam mechanism for converting a retracting movement of the lancet holder along the longitudinal axis of the housing into rotation of the lancet holder, as required by

claim 21. For at least these reasons claim 21 should be allowed. Claims 22-26 depend from claim 16 and should be allowed for at least the same reasons.

Conclusion:

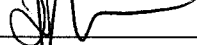
Applicants respectfully assert that claims 15-26 are in condition for allowance. If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicants' primary attorney-of record, Douglas P. Mueller (Reg. No. 30,300), at (612) 455-3804.



Dated: September 29, 2008

Respectfully submitted,

HAMRE, SCHUMANN, MUELLER &
LARSON, P.C.
P.O. Box 2902-0902
Minneapolis, MN 55402-0902
(612) 455-3800

By: 
Douglas P. Mueller
Reg. No. 30,300
DPM/ahk